

**PLAINTIFFS' OBJECTIONS TO DEFENDANTS' DIRECT TESTIMONY DECLARATIONS**

<b>Declaration or Affidavit</b>	<b>Date</b>	<b>Description</b>	<b>ECF, Dkt., and Page No.</b>	<b>Paragraph(s)</b>
Frank Ruchala	3/28/2023	Declaration in opposition to plaintiffs' motion for partial summary judgment	<a href="#">180 Page 2</a>	Hearsay, FRE 802: ¶3 avers, without specification, that declaration is based in part on "conversations with DCP employees"
Susan E. Amron	5/19/2023	Direct testimony declaration of Susan E. Amron	<a href="#">191-1 Page 3, 6-7</a>	<p>¶4: FRE 602 (declarant lacks personal knowledge regarding legislative intent of 2001 amendments)</p> <p>¶11-14: FRE 602 and 701 (declarant lacks personal knowledge regarding, but offers lay opinion testimony as to, the suitability of sites in outer boroughs)</p>
Rodney Gittens	5/19/2023	Declaration of DOB Borough Commissioner Rodney Gittens	<a href="#">191-2 Page 2, 9, 11</a>	<p>Hearsay, FRE 802: ¶1 avers, without specification, that declaration is made in part "on the basis of conversations with City employees"</p> <p>¶17: FRE 602, 701, 802 (declarant speculates, without foundation, regarding practical effect of 2001 amendments on adult establishment applications)</p> <p>¶24: FRE 602, 701, 802 (same as ¶17)</p> <p>¶25: FRE 602, 701, 802 (declarant speculates, without foundation, that sensitive-use veto is "far-fetched," despite Sapphire II sensitive-use veto)</p>